

REMARKS-ARGUMENTS

This Amendment is submitted in response to the office action mailed 11/05/2004 and is accompanied by a petition for two month extension of time to extend the due date to 04/05/2005. Reconsideration of the amended claims with an eye toward allowance is respectfully requested.

Objection to Information Disclosure Statement

Applicant acknowledges that the examiner has objected to the Information Disclosure Statement (IDS) filed 11 March 2003 as failing to include copies of certain foreign patents or non-patent literature. Applicant is concurrently submitting a supplemental IDS that includes foreign patents and non-patent literature for consideration.

Objection to the Drawings and Specification

The examiner has objected to the application as not including drawings that are referred to in the specification. The examiner has also suggested a preferred layout of the specification. Applicant notes that the application was filed with several appendices which include numerous drawings. Applicant herewith submits a substitute specification that includes drawings and references to the drawings in the specification, all of which were included with the application as originally filed.

Rejection of Pending Claims

Applicant acknowledges that claims 2-14, 17, and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Goshey et al. (US 6,205,527); and that claims 15 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Stanley (US 6,457,069).

Applicant also notes that claims 2 and 7 of this application (10/074,686) are provisionally rejected over claim 7 of co-pending patent application serial no. 10/075,136.

Without admitting the propriety of the prior-art or of the double patenting based rejection in the related application, and in light of the related subject matter originally presented in this application and in the co-pending patent application and other related co-pending applications, applicant has amended the claims and added new claims that are directed to different aspects of the inventive self-repairing computer and method of self repair. The amendments to the

claims by and large moot the earlier basis for the rejection. Support for the amended claims is provided in the application as filed, and particularly in the specification at pages 14-23.

Claim 15 has been amended to emphasize characteristics of the communication device and the manner in which the switch means controls the data communications pathway between the communications device and the at least one data store to prevent data received over the communications link and the communications device via the port to prevent access to the at least one data store by viral, hacker, or other malicious computer software code. More particularly, claim 15 requires:

15. (Currently Amended) A computer system comprising:
 - a processor;
 - a memory coupled to said processor;
 - at least one nonvolatile data store;
 - a communication device for communicating over a communications link to an external device;
 - a port for communicatively coupling said computer system and said communication device over a bus having a plurality of data lines;
 - at least one bus communicatively coupling said memory, said peripheral controller, and said port to each other, to said at least one data store, and to said processor; and
 - switch means for controlling a data communications pathway between said communications device and said at least one data store to prevent data received over said communications link and said communications device via said port to prevent access to said at least one data store by viral, hacker, or other malicious computer software code.

Applicant submits that neither Goshey nor Stanley discloses, suggests, or motivates any need for the elements of claim 15. Claims 16 and 19-21 are dependent from claim 15 and add additional limitations that further distinguish over the prior art.

Claim 22 is an independent claim that requires:

22. (New) A computer system comprising:
- a processor;
 - a memory coupled to the processor;
 - at least one non-volatile data store;
 - a data port;
 - a communication device for communicating over a communications link to an external device; and
- at least one of a (i) data store switch and (ii) a communications device switch, the data-store switch operative to modify the accessibility of at least one data store according to a access status of said communications device, and the communications device switch operative to modify the accessibility of said communications device by said computer including by said at least one data store according to a access status of said communications device.

Applicant submits that the known prior art at least fails to disclose, suggest, or motivate any need for "at least one of a (i) data store switch and (ii) a communications device switch, the data-store switch operative to modify the accessibility of at least one data store according to a access status of said communications device, and the communications device switch operative to modify the accessibility of said communications device by said computer including by said at least one data store according to a access status of said communications device."

Independent method claim 43 requires:

43. (New) In a computer system of the type having a processor, a memory coupled to the processor, at least one non-volatile data store, a data port, and a communication device for communicating over a communications link to an external device; a method of operating the computer system to protect the system degradation by from viral, hacker, and other malicious code contamination, the method comprising:
- providing at least one of a (i) data store switch and (ii) a communications device switch; and

when the data-store switch is provided, operating the computer system to modify the accessibility of at least one data store according to a access status of said communications device; and

when the communications device switch is provided, operating the computer system to modify the accessibility of said communications device by said computer including by said at least one data store according to a access status of said communications device.

Claim 44, dependent from claim 43, further requires that the method provide additional features as follows:

44. (New) A method according to claim 43, wherein:

the at least one non-volatile data store comprises first and second data stores and said data-store switch for modifying the accessibility of at least one of the first and second data stores by the computer;

the data port is operative to mediate and selectively link the computer to other devices over the communications link;

operating the computer in:

(i) a connected state wherein the computer may use the data port to obtain data from another device over the communications link and the data-store switch may enable the second data store, and

(ii) a disconnected state wherein the computer may not use the data port to obtain data from another device over the communications link and the data-store switch may enable the first data store, so that the computer may enable only one of the first and second data stores at any given time and the data store enabled depending upon whether the computer is accessing the communications link or not accessing the communications link, and data received over the communications link being isolated only to the second data store; and

wherein if the data received over the communications link included a virus, hacking, or other malicious executable code, then the virus, hacking, or other malicious executable code is confined to the second data store.

Applicant respectfully submits that the known prior art fails to disclose, suggest, or motivate any need for "providing at least one of a (i) data store switch and (ii) a communications device switch; and when the data-store switch is provided, operating the computer system to modify the accessibility of at least one data store according to a access status of said communications device; and when the communications device switch is provided, operating the computer system to modify the accessibility of said communications device by said computer including by said at least one data store according to a access status of said communications device." Applicant further suggests that there is no for operating the computer in the connected and disconnected states according to the procedures described.

Other of the dependent claims recite additional features that further differentiate from the cited art, but rather than repeat the elements of the claims here, Applicant respectfully refers the Examiner to the claims section.

Additional Comments


With these amendments and remarks Applicant submits that all pending claims are in condition for allowance and requests allowance of same.

Based on the foregoing, Applicant respectfully submits that the application is now in condition for allowance. If any matters can be resolved by telephone, the Examiner is invited to call the undersigned attorney at the telephone number listed below. The Commissioner is authorized to charge any additional fees, including but not limited to fees for additional claims not already paid for or for extensions of time petitions, to Deposit Account No. 50-2319 (Order No. A-70543-2/RMA (Our File No. 469217-1)).

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Respectfully submitted,
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Amendments to the Drawings:

Amended drawing sheets are attached following the signature page to this document.
These drawing sheets originally appeared in the appendix as originally filed.